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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,887	08/25/2003	Shinichi Nishimura	03500.017495.	1248
5514	7590	11/18/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			MAYO III, WILLIAM H	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/646,887

Applicant(s)

NISHIMURA, SHINICHI

Examiner

William H. Mayo III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/18/04
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 18, 2004 has been entered.

### ***Drawings***

2. The drawings were received on October 18, 2004. These drawings are approved.

### ***Specification***

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4. The abstract of the disclosure is objected to because in lines 12-16, the abstract refers purported merits or speculative applications of the invention, which is improper content for the abstract. The applicant should delete the lines. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 & 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Inui (Pat Num 6,674,010) in view of Asprey et al (Pat Num 5,268,676, herein referred to as Asprey). Inui discloses a shielded cable (Figs 1-2) that can transmit data between electronic devices without generating noise and that can be easily handled (Col 2, lines

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10-13). With respect to claim 1, Inui discloses that the shielded cable (201) comprising: first signal wires (301) for transmitting digital signals of a relatively high frequency (Col 8, lines 24-32); a second signal wires (304) for transmitting digital signals of a relatively low frequency (Col 8, lines 24-32); and a shield (313) with which said first and second signal wires (301 and 304, respectively) bundled in a state of being electrically insulated from each other are collectively covered (Col 9, lines 55-62), wherein said first signal wires (301) are placed adjacent to said shield (305) and adjacent one to another (Fig 2). With respect to claim 4, Inui discloses that the shielded cable (201) further comprising connectors (220 & 230) for connection at its opposite ends (Fig 1), wherein each of said connectors (220 & 230) having connector pins (Col 7, lines 59-67) being connected to said first and second signal wires (301 & 304), wherein said first signal wires (301 & 304) being connected to particular ones of the connector pins which are adjacent one to another (Col 7, lines 59-67). With respect to claim 5 & 8, Inui discloses that some of the first signal wires (301, ie 302 wires of 301) are in contact with the outer shield (313) and comprising connectors (220 & 230) for connection at its opposite ends (Fig 1), wherein each of said connectors (220 & 230) having connector pins (Col 7, lines 59-67) being connected to said first and second signal wires (301 & 304), wherein said first signal wires (301 & 304) being connected to particular ones of the connector pins which are adjacent one to another (Col 7, lines 59-67).

However, Inui doesn't specifically disclose the first wires being in directly adjacent one another (claims 1 & 8)

Asprey teaches a shielded cable (Figs 1-2) that can transmit data between electronic devices without generating noise (Col 2, lines 55-60). Specifically, Asprey teaches shielded cable (200) comprising: first signal wires (204v) for transmitting digital signals of a relatively high frequency (Col 6, lines 55-66); a second signal wires (204g); and a shield (313) with which said first and second signal wires (204v and 204g, respectively) bundled in a state of being electrically insulated from each other are collectively covered (Col 6, lines 25-42), wherein said first signal wires (204) are placed directly adjacent to said shield (206) and directly adjacent one to another (Fig 2).

With respect to claims 1 & 8, It would have been obvious to one having ordinary skill in the art of cables at the time the invention was made to modify the shielded of Inui to comprise the conductor configuration as taught by Asprey because Asprey teaches that such a configuration can transmit data between electronic devices without generating noise (Col 2, lines 55-60).

7. Claims 2-3 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inui (Pat Num 6,674,010) in view of Asprey (Pat Num 5,268,676, herein referred to as modified Inui), as applied to claim 1 above, further in view of Applicant's Own Admission of Prior Art (herein referred to as AOAPA). Inui discloses a shielded cable (Figs 1-2) that can transmit data between electronic devices without generating noise and that can be easily handled (Col 2, lines 10-13) as disclosed with respect to claim 1 above. Specifically, with respect to claim 3, modified Inui discloses that the electrical cable (200) has a clock signal wire (303) which discloses a clock signal, wherein the plurality of data signals (301) synchronized with the clock signals are transmitted

through the first signal wire (301, Col 8, lines 58-65). With respect to claim 6-7, modified Inui discloses that some of the first signal wires (301, i.e. 302 wires of 301) are in contact with the outer shield (313).

However, modified Inui doesn't necessarily disclose the signal wires being twisted pairs (claim 2), nor the clock signal is of 10 MHz or higher (claim 3).

AOAPA teaches a well-known cable (Fig 9) capable of improving the signal quality while suppressing the radiant noises (Page 2, lines 1-3). Specifically, with respect to claim 2, AOAPA discloses a shielded cable (Fig 9) having a plurality of data signals (A, B, C, D, E, F, & G) for transmitting high frequency signals (Page 2, lines 20-23), a plurality of data signals (H, I, J, K, L, M, and N) for transmitting low frequency signals (Page 2, lines 23-25), which are twisted pairs of data signal conductors (A+, A-, B+, B-, ...etc, Page 2, lines 20-25). With respect to claim 3, AOAPA discloses a shielded cable (Fig 9) having a plurality of data signals (A, B, C, D, E, F, & G) for transmitting high frequency signals (Page 2, lines 20-23), at a frequency of 10Mhz or greater (Col 2, lines 20-23).

With respect to claims 2-3, it would have been obvious to one having ordinary skill in the art of cables at the time the invention was made to modify the electrical cable of modified Inui to comprise the twisted paired conductor configuration as taught by AOAPA because AOAPA teaches that such a configuration is well known in the art of cables for improving the signal quality while suppressing the radiant noises (Page 2, lines 1-3) and since it appears that Inue would perform equally well with the modification.

***Response to Arguments***


8. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

***Communication***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
William H. Mayo III  
Primary Examiner  
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WHM III  
November 15, 2004